

**To:** McWhirter, Lisa[McWhirter.Lisa@epa.gov]  
**From:** Dermer, Michele  
**Sent:** Fri 1/9/2015 4:33:24 PM  
**Subject:** RE: GAO and national database

Sadly, and with all due respect (NOT) I knew Bob did not tell you about the problems with CA and the database. If you ever need the facts you should ask me not Bob. I tried for two years to explain that we had two signed MOA's to him.

**From:** McWhirter, Lisa  
**Sent:** Friday, January 09, 2015 5:40 AM  
**To:** Dermer, Michele  
**Subject:** RE: GAO and national database



**From:** Dermer, Michele  
**Sent:** Thursday, January 08, 2015 6:35 PM  
**To:** McWhirter, Lisa  
**Subject:** Re: GAO and national database

i like accuracy.

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**From:** McWhirter, Lisa  
**Sent:** Thursday, January 08, 2015 2:27 PM  
**To:** Dermer, Michele  
**Subject:** RE: GAO and national database

Perfectionist!!!

**From:** Dermer, Michele  
**Sent:** Thursday, January 08, 2015 5:11 PM  
**To:** McWhirter, Lisa

**Subject:** Re: GAO and national database

oops, the statement in the briefing paper is for Class II AE requests in R. 8. That's even less. ok, i will leave you alone now!

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**From:** McWhirter, Lisa  
**Sent:** Thursday, January 08, 2015 1:58 PM  
**To:** Dermer, Michele  
**Subject:** RE: GAO and national database

I had to respond to a press release asking for the exact number of AEs issued in 2014. This was 26, but in previous years, it was a much higher number.

**From:** Dermer, Michele  
**Sent:** Thursday, January 08, 2015 4:57 PM  
**To:** McWhirter, Lisa  
**Subject:** Re: GAO and national database

I wanted to make sure you knew the database had that error in it for CA. I was not sure you had been told. And you got the revised number for R. 8 AE's? More like 25-30 a year.

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**From:** McWhirter, Lisa  
**Sent:** Thursday, January 08, 2015 1:53 PM  
**To:** Dermer, Michele  
**Cc:** Albright, David  
**Subject:** RE: GAO and national database

I will be sure to include that in the FOIA response cover letter. With GAO, it was less formal... was just giving examples of how the database is inaccurate, and not to perform any analyses on the data.

I revised the “Peter briefing document—accepted all of Dave’s edits” and forwarded it to Ron & Holly. Ron is going to pull what he needs to brief Ken. If I get anything back will share with you.

So happy tomorrow is Friday! ☺

Thanks,

Lisa

**From:** Dermer, Michele  
**Sent:** Thursday, January 08, 2015 4:49 PM  
**To:** McWhirter, Lisa  
**Cc:** Albright, David  
**Subject:** GAO and national database

Hi Lisa,

There was likely a disconnect on a part of the database between you and Joe/Bob that I am uncertain if you are aware of. Many times i informed them that the database, at least the last version I saw a year or so ago, was incorrect with respect to the AEs in California. The list contained the 88 formations that were originally applied for exemption with the CA primacy application, but only a subset were USDWs, and thus were actually exempted with primacy. (These are the non-hydrocarbon bearing waste disposal zones). Last I looked they were still in the database but I do not know if they are still in there. This is because Region 9 originally sent the incorrect information to HQ in reply to Ann's request. What was sent was the list in the primacy application, not the list of what was approved in our MOA with the state. What makes it more exciting as you know is that we have two versions of the MOA and there are 11 formations that were either exempted or not, but in either case all 88 that were applied for were not exempted since they did not meet the definition of a USDW.

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**From:** McWhirter, Lisa

**Sent:** Thursday, January 08, 2015 1:16 PM

**To:** Garrett, David; Springborg, Denise; Minter, Douglas; Brock, Frank; McManus, Fred; Green, Holly; Torres, Jose; Johnson, KarenD; Allenbach, Becky; Hildebrandt, Kurt; Darman, Leslie; Pham, Lisa; Ginsberg, Marilyn; Mindrup, Mary; Dermer, Michele; Marsh, Nancy; Kraft, Nicole; Contreras, Peter; Dellinger, Philip; Smith, Robert-Eu; Bergman, Ronald; Cutler, Thor; Elkins, Timothy; Bates, William; Roy, Stephen; Micham, Ross; Jann, Stephen; Perenchio, Lisa; Cheung, Wendy; Oberley, Gregory; Wawczak, Jeffrey; Tiago, Joseph; Engelman, Alexa; Chin, Lucita

**Subject:** RE: Agenda for National AE Policy Call - January 8, 2015 (3 pm to 4 pm EST) Call in number is 866-299-3188 and code is 2025642317

FYI – Here’s a copy of the “cover” letter I sent to GAO regarding Aquifer Exemptions.

Thanks,

Lisa

**From:** McWhirter, Lisa

**Sent:** Wednesday, January 07, 2015 11:45 AM

**To:** Garrett, David; Springborg, Denise; Minter, Douglas; Brock, Frank; McManus, Fred; Green, Holly; Torres, Jose; Johnson, KarenD; Allenbach, Becky; Hildebrandt, Kurt; Darman, Leslie; Pham, Lisa; Ginsberg, Marilyn; Mindrup, Mary; Dermer, Michele; Marsh, Nancy; Kraft, Nicole; Contreras, Peter; Dellinger, Philip; Smith, Robert-Eu; Bergman, Ronald; Cutler, Thor; Elkins, Timothy; Bates, William; Roy, Stephen; Micham, Ross; Jann, Stephen; Perenchio, Lisa; Cheung, Wendy; Oberley, Gregory; McWhirter, Lisa; Wawczak, Jeffrey; Tiago, Joseph; Engelman, Alexa; Chin, Lucita

**Subject:** Agenda for National AE Policy Call - January 8, 2015 (3 pm to 4 pm EST) Call in number is 866-299-3188 and code is 2025642317

Hi everyone,

Here’s an agenda for Thursday’s call:

- Welcome and Roll Call (5 minutes)

- OGWDW Update (5 minutes)
  - Clean Water Action Report and Inside EPA press article (5 minutes)
  - Office Director briefing on CA AE & Hathaway petition postponed
  - GAO Audit– request for AE database and delivered on January 6, 2015
  - NRDC FOIA on AE database received January 6, 2015
- GWPC – February 9-11 (25 minutes)
  - Who is planning to attend
  - Side meeting on Monday, February 11, from 12:30 to 3 pm – EPA only
    - Discuss future use
    - California workshops
    - Other topics?
    - Volunteers to develop agenda for side meeting?
  - AE open panel session (2.5 hours) (See attached GWPC Preliminary Agenda)
- Update on California AEs – Region 9 (10 minutes)
- Proposed Rule: strengthening “Health and Environmental Protection Standards for Uranium and Thorium Mill Tailings,” (40 CFR 192) – Region 7 (5 minutes)
- Regional Round Robins (10 minutes)

I am also attaching documents – Clean Water Action articles, latest draft GWPC Agenda, and proposed rule (2 documents). Here’s a link to the inside EPA article: <http://insideepa.com/daily-news/epa-urged-overhaul-aquifer-exemptions-improve-water-protection>.

Please forward to others I may have missed!

Thanks,

Lisa

Lisa M. McWhirter, M.S., J.D.

Environmental Protection Specialist

Office of Water, Office of Ground Water and Drinking Water

1200 Pennsylvania Ave., N.W.

MC 4606M

Washington, D.C. 20460

202-564-2317